

16523 U.S. PTO
010904

Attorney Docket No. 715 P 025

PATENT
19270 U.S. PTO
10/754242
010904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Utility Patent Application of:

Mark Robert

Entitled: POURABLE LIQUID DAIRY DESSERT

Mailed: January 9, 2004

PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following documents:

- ☒ Specification, Claims, and Abstract
- ☒ Declaration and Power of Attorney
- ☒ Assignment
- ☒ Request and Certification Under 35 U.S.C. §122(B)(2)(b)(I)
(request not to publish)

Applicant claims small entity status.

The filing fee has been calculated as shown below:

			Small Entity		or	Other Than A Small Entity	
For:	No. Filed	No. Extra	Rate	Fee		Rate	Fee
Basic Fee				\$385	or		\$770
Total Claims	18 - 20 =	0	x 9 =	\$0	or	x 18 =	\$ *
Indep. Claims	2 - 3 =	0	x 43 =	\$0	or	x 86 =	\$ *
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			x145 =	\$0	or	x290 =	\$0
			Total	\$385	or	Total	\$ *

☒ Check no. 19475 in the amount \$425 is attached.

Attorney Docket No. 715 P 025

Application Title: POURABLE LIQUID DAIRY DESSERT

Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280.

A duplicate copy of this sheet is attached.

- ☒ Any additional filing fees under 37 C.F.R. §1.16.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Please address all future communications to:

Monique A. Morneault, Esq.
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
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(312) 554-3300

Respectfully submitted,

Date: January 9, 2004

By: Monique A. Morneault

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the above documents are being deposited with the U.S. Postal Service as express mail, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2004, under Express Mail No. EV400546928US.

Robert Holland
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Attorneys for Applicant

191322

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Mark Robert
	Title	POURABLE LIQUID DIARY DESSERT
	Atty Docket Number	715 P 025

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: January 9, 2004

By: Monique A. Morneault
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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10

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Robert Holland
 Robert Holland

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**